

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

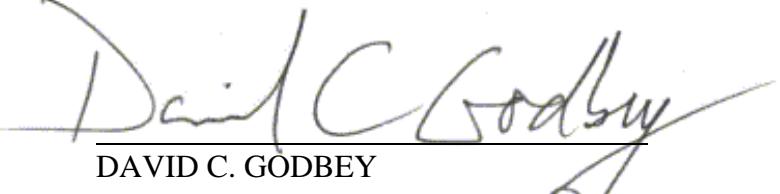
**DONALD TERRELL BANKS,** §  
**Defendant-Petitioner,** §  
§ NO. 3:06-CV-1800-N (BF)  
v. § (3:03-CR-078-N) (BF)  
§ ECF  
**UNITED STATES OF AMERICA,** §  
**Plaintiff-Respondent.** §

**ORDER**

After making an independent review of the pleadings, files, and records in this case, and the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, the Court is of the opinion that the findings, conclusions, and recommendation of the Magistrate Judge are correct.

IT IS, THEREFORE, ORDERED that the findings, conclusions, and recommendation of the United States Magistrate Judge are adopted. The Court notes that in view of recent action by the United States Sentencing Commission, Petitioner may move for a reduction in his sentence under the new Guideline for cocaine base on or after March 3, 2008, pursuant to 18 U.S.C. sec. 3582(c)(2).

SIGNED December 13, 2007.

  
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**DAVID C. GODBEY**  
**UNITED STATES DISTRICT JUDGE**